

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks.

In this Amendment claims 1, 3, 11, 14, 22, 24, 32, 35, 43, 45 and 53-54 are amended, claims 56-61 are added, and claims 4, 15, 25, 36 and 46 are canceled. As a result, claims 1-3, 5-14, 16-24, 26-35, 37-45 and 47-55 are now pending in the application. Support for the newly added claims can be found throughout the specification, for example, in paragraph [0017], paragraph [0020].

In the final Office Action of March 29, 2007, claims 32-42 are rejected under 35 U.S.C. §101 as allegedly being drawn to non-statutory subject matter. Claims 1-2, 7-13, 18-23, 28-33, 39-43, 49-53 and 55 are rejected under 35 U.S.C. §102(e) in view of Published U.S. Patent Application 2003/0208593 (“Bharati”). Claims 3-4, 14-15, 24-25, 35-36, 45-46, and 54 are rejected under 35 U.S.C. §103(a) in view of Bharati and further in view of U.S. Patent 5,857,192 (“Fitting”). Claims 5, 16, 26, 37 and 47 are rejected under 35 U.S.C. §103(a) in view of Bharati and further in view of Fitting and yet even further in view of U.S. Patent 6,920,492 (“Richard”). Claims 6, 17, 27, 38 and 48 are rejected under 35 U.S.C. §103(a) in view of Bharati and further in view of Fitting and yet even further in view of U.S. Patent 6,915,302 (“Christofferson”). Claims 34 and 44 are rejected under 35 U.S.C. §103(a) in view of Bharati and further in view of Richard.

Telephone Interview

The Applicant thanks Examiner Puente for the courtesies extended to applicant's representative during the brief telephone conference of June 27, 2007. Applicant's representative had called the Examiner to inquire about claim preamble language for claim 32 to overcome the pending §101 rejection, and discuss the features of the amended claims.

35 U.S.C. §101 Rejection

It is believed that the §101 rejection of claims 32-42 is overcome by the present claim amendments. Withdrawal of the rejection is respectfully requested.

35 U.S.C. §102 Rejection

The §102(e) rejection of claims 1-2, 7-13, 18-23, 28-33, 39-43, 49-53 and 55 is obviated by the present claim amendments, since features of the dependent claims not subject to the rejection have been incorporated into the independent claims formerly rejected under §102(e). Therefore, withdrawal of the §102(e) rejection of claims 1-2, 7-13, 18-23, 28-33, 39-43, 49-53 and 55 is respectfully requested.

35 U.S.C. §103 Rejections

The §103(a) rejections of claims 3-6, 14-17, 24-27, 34-38, 44-48 and 54 in view of various hypothetical combinations of Bharati, Fitting, Richard and Christofferson are traversed.

The present Gateway invention involves systems and method for providing build of material (BOM) information in a computer system. Such information is useful for many things,

including for example, conveying information about the compute to a technical service representative at a call center in the event the computer suffers a failure. Such call centers are often maintained by computer manufacturers, software retailers or computer retailers to assists users and network administrators when problems arise with a computer system. The operation of call centers, in accordance with conventional methods, is significantly hampered by the need to manually generate the necessary information about the computer system required to solve the problem.

The present invention overcomes these drawbacks by identifying BOM information in a source file of the computer system and encoding a file marker with it. The file marker can then be stored in the computer, thus providing a useful way of conveying the BOM information, for example, to a technical representative at a call center. The pending claims have been amended to recite features that make conveying the BOM information yet more convenient. Each of independent claims 1, 11, 22, 32, 43 and 53 has been amended to recite “wherein the build of material information is encoded in a file name of the file marker.” Providing the BOM information in this format allows it to be easily and conveniently conveyed to a technical representative during a telephone call. In fact, the BOM information can be conveyed without need to open any files since the file names appear in the directory and can be viewed by the user. Or, alternatively, if the computer is still able to send and receive information (e.g., emails) the user could capture a screen image of the directory with the BOM information and send it to the technical representative. Note that the pending claims recite that the BOM is encoded in the file name—that is, the information itself from the BOM is apparent from reading the file name. This differs from the art relied upon in the pending rejection.

The pending claims are rejected under §103 in view of various hypothetical combinations of Bharati, Fitting, Richard and Christofferson. The Office Action contends that Fitting discloses transmitting information formatted in the name of the file.¹ Fitting describes the use of a file name (the request file) which is formatted in a particular manner intended to point to data for a device. However, Fitting does not encode the information in the name itself. The information in Fitting's file name differs in at least two important respects. Rather, the name of Fitting's request file is encoded with the type of data needed ("<requested_data_type>") for a type of product sold by the company ("<product_identifier>"). Hence, Fitting's file name does not encode the information itself, it encodes a pointer ("<requested_data_type>") that indicates where the correct type of information can be found in a shared file directory. Since the information is not encode in the file name of Fitting, the system described in Fitting must maintain a database. In some instances the Fitting system will be able to read the file name, but will not end up with the proper information if it is not in the database.² The claimed invention is not subject to this drawback of the Fitting system, since, as recited in the claims, "the build of material information is encoded in a file name of the file marker."

Accordingly, it is respectfully submitted that Bharati, Fitting, Richard and Christofferson, either taken singly or in various hypothetical combinations, do not teach or suggest the features of the claimed invention. Therefore, withdrawal of the rejection is respectfully requested.

¹ Office Action of March 29, 2007 at page 12, citing the Fitting patent at col. 4, lines 20-25 and col. 5, lines 5-10.

Newly Added Claims

Claims 56-61 are added, reciting “wherein the file name contains predefined fields of characters configured to communicate the build of material information without requiring opening of the file marker.” Support can be found at paragraphs [0017] and [0020] of the specification. As discussed at paragraph [0017], the characters in the file marker name may include specific, delimited fields. The fields may be product specific, such as Gateway™ product specific fields, and the delimiting may occur through a variety of methods, such as the use of underscoring and the like.

² Fitting, col. 5, lines 36-45.

Deposit Account Authorization / Provisional Time Extension Petition

It is believed that the RCE transmittal attends to the necessary fees for this filing, and no extension of time is required. However, to the extent necessary, a provisional petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571) 748-4765 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



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